

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**MICHAEL BRANNON,**

**Defendant.**

**Case No. 18-03104-01-CR-S-BCW**

**MOTION FOR DETENTION**

Comes now the United States of America, by and through Timothy A. Garrison, United States Attorney for the Western District of Missouri, and the undersigned Assistant United States Attorney, and hereby moves this Court to order the detention of the defendant, **MICHAEL BRANNON**, and states the following in support of the motion:

1. An indictment has been filed charging the defendant with production of child pornography, in violation of Title 18, United States Code, Sections 2251(a).
2. Title 18, United States Code, Section 3142(f) provides, in pertinent part, that hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions “will reasonably assure the appearance of such person as required and the safety of any other person and the community” if the attorney for the Government moves for such a hearing and the case involves:

“(E) any felony that is not otherwise a crime of violence that involves a minor victim... .”

3. Title 18, United States Code, Section 3142(e) mandates, subject to rebuttal, “it shall be presumed that no conditions or combination of conditions will reasonably assure the appearance of a person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that there is probable cause to believe that the person committed—(E) an offense involving a minor victim under section 2251... of this title.”
4. The defendant was brought to the attention of law enforcement officers after Facebook, Inc. learned that that the defendant was soliciting and obtaining sexually explicit images of children through its service.
5. The defendant was previously the subject of a sexual exploitation investigation involving a 14-year-old child in 2017.
6. The defendant acknowledged that he has been communicating with the victim and to receiving imagery depicting her breasts.
7. This Court is obligated to consider “the nature and circumstances of the offense charged, including whether the offense... involves a minor victim... .” See 18 U.S.C. § 3142(g)(1).
8. The evidence against the defendant is overwhelming. See 18 U.S.C. § 3142(g)(2).

Wherefore, based upon the foregoing, the United States submits that there is clear and convincing evidence that there are no conditions, which the Court could place upon the defendant, that would reasonably assure the defendant’s appearance in Court and the

safety of the community. The Government therefore requests that a detention hearing be held and that the defendant be detained pending trial of this matter.

Respectfully submitted,

Timothy A. Garrison  
United States Attorney

By: /s/ James J. Kelleher  
James J. Kelleher  
Assistant United States Attorney  
Missouri Bar No. 51921

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on October 2, 2018, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ James J. Kelleher

James J. Kelleher

Assistant United States Attorney